

## Hampshire College Cuba Travel Regulations FAQ's

On November 9, 2017, new restrictions on travel to Cuba went into effect pursuant to the National Security Policy Memorandum issued by Trump on June 16, 2017. There is little or no change to Hampshire's ability to run its spring semester-long study abroad program in Cuba. However, the new regulations roll back some of Obama's 2015 expansion of educational travel to Cuba, and no longer permit independent educational or research travel, except by professionals and graduate students to whose work Cuba is substantially relevant.

As an academic institution sponsoring an authorized educational program in Cuba under 31 C.F.R. 515.565(a), the college and its faculty, staff and students are legally bound by the regulations and must exercise due diligence to ensure that all of our activities in Cuba are authorized under the law. The penalties on conviction for violation of the regulations can be substantial, including hefty fines, imprisonment and for non-US citizens, serious immigration consequences.

The Cuba travel regulations apply to any person under U.S. jurisdiction, which includes all persons citizens of or residing in the U.S. as permanent resident or under any visa issued by the United States. This includes holders of non-US passports, those in the US on F1 student visas, and those with green cards. Violations of law can jeopardize permanent residency or temporary visa status, up to and including deportation. We do not know how vigorously the current administration will actually enforce the restrictions; we merely point out here the potentially serious risks involved in illegal travel to Cuba.

What follows is a quick reference guide/FAQ to what is authorized under the Nov. 9 amendments, and what is prohibited. It is important that faculty and staff working with students with research interests in Cuba understand the restrictions. Hampshire's continued ability to operate its signature program in Cuba depends on strict institutional observance of the legal conditions that make it possible.

- 1) *Am I allowed to visit Cuba as a tourist?*  
NO. Purely touristic travel to Cuba is not authorized by the regulations and is in fact specifically prohibited by Federal statute.
- 2) *What type of individual travel is permitted?*  
Individual travel to Cuba is **permitted only if one is:**
  - a. **Visiting close relatives** (including students or staff in Cuba on an authorized educational program). For example, the parents or siblings of a student in our semester program are allowed to travel.
  - b. **A professional or journalist** doing research or attending professional meetings in Cuba relevant to their professional work.
  - c. **A graduate student doing research in Cuba** in pursuit of their graduate degree at an accredited institution.
- 3) *If I am a student doing research about Cuba for my divisional work, can I travel to Cuba?*  
No. **Independent travel by undergraduate students** for research in Cuba, begun after November 9, 2017, is **currently unauthorized** under the regulations, and by extension, the College cannot accept such research in satisfaction of any academic requirements, if it is or was performed in Cuba in violation of U.S. law. This restriction means that Hampshire College students are **not legally authorized** to do a self-designed/independent

field study semester in Cuba, nor can they go legally to Cuba for purposes of carrying out any sort of research there unless they are enrolled in the Hampshire in Havana Cuba Program. They may, however, be on Field Study status at Hampshire while enrolled in another US or Cuban institution's educational program in Cuba.

- 4) *Can I travel independently to do research that is not for credit?* No. Independent travel for non-credit educational programs or research **is no longer authorized**. All such travel must now be arranged through licensed group travel operators under US jurisdiction.
- 5) *Can I do an internship or community service project?*  
Undergraduate students are **not authorized** to travel to Cuba to carry out community service projects or internships, unless they are traveling under the sponsorship of a religious, or humanitarian organization. The types of activities that are permitted are narrowly specified in the regulations, and must be amount to a full-time engagement.
- 6) *I am an international student with an F-1/J-1 visa. Can I go from my home country or third country?*  
No. Students on an F-1/J-1 visa are considered to be under U.S. Jurisdiction and therefore must follow the regulations as all U.S. citizens. Violations of law can jeopardize temporary visa status, up to and including deportation.
- 7) *I am permanent resident of the U.S. Can I go from my home country or third country?*  
No. Students on a green card who have permanent residency are considered to be under U.S. Jurisdiction and therefore must follow the regulations as all U.S. citizens. Violations of law can jeopardize permanent residency up to and including deportation.
- 8) *I am Hampshire College faculty and am interested in doing research in Cuba, is this allowed?*  
Yes, faculty who are full-time employees of Hampshire College are permitted to travel with an authorized travel letter. Please be in touch with Katie Irwin in the Global Education Office for information.
- 9) *Who should I talk to if I have further questions about traveling to Cuba?* Katie Irwin in the Global Education Office.

**Resources:**

[Code of Federal Regulations, 1 C.F.R. 515.565](#)

[Cuba Sanctions from the US Department of Treasury](#)

[US Department of Treasury Cuba Fact Sheet](#)

[NAFSA: Association of International Educators/Travel to Cuba](#)

[12 Categories of permitted Travel](#)